

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR
MAYOR'S OFFICE OF LEGAL COUNSEL
Freedom of Information Act Appeal: 2016-06**

October 20, 2015

VIA ELECTRONIC MAIL

Moxila A. Upadhyaya, Esq.

RE: FOIA Request 2016-06

Dear Ms. Upadhyaya:

This letter responds to the administrative appeal you submitted to the Mayor under the District of Columbia Freedom of Information Act on behalf of your clients, Mr. and Mrs. Chukwulete Ukeekwe. In the appeal, you assert that the Department of Energy and Environment ("DOEE") failed to respond to a request that was submitted on August 12, 2015, for records pertaining to property located at 1251 Saratoga Avenue, N.E.

The DOEE advised this Office that it responded to your clients' request on October 5, 2015, but discovered that the file size may have prevented electronic delivery of the records. As a result, the DOEE sent the records again in a different electronic format on October 19, 2015.

Based on the foregoing, we consider your appeal to be moot and it is dismissed; provided, that the dismissal shall be without prejudice to you to assert any challenge, by separate appeal, to the DOEE's response.

Sincerely,

/s Melissa C. Tucker

Melissa C. Tucker
Associate Director

cc: Norah Hazelton, DOEE (via email)